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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,821	12/22/2000	Terry R. Lee	M4065.0406/P406	9458

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DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
2101 L STREET NW  
WASHINGTON, DC 20037-1526

EXAMINER
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DANG, KHANH NMN

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 11/12/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/741,821

Applicant(s)

LEE ET AL.

Examiner

Khanh Dang

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-61 are rejected under 35 U.S.C. 102(b) as being anticipated by Holman et al. (WO 99/30240).

As broadly drafted these claims do not define any structure/step that differs from Holman et al. Similar claims will be grouped together to avoid repetition in explanation.

With regard to claims 1-61, Holman et al. discloses a memory module (306, for example), comprising: at least one memory device (312, for example); a data transfer interface (included in interface circuit 310, for example; see also Fig. 8 and description thereof) connected to a first data bus (323, for example) and to at least one memory device (312) by a second data bus (330, 332, 334-337, for example), the data transfer interface (310) comprising: a first bus segment (see at least Figs. 3 and 4) of the first data bus (323), the first data bus having a first number of data paths and said second data bus having a second number of data paths (as clearly shown in at least Figs. 3 and 4); a second bus segment (see at least Figs. 3 and 4 and description thereof) of said first data bus (323); an interface circuit (310, for example) connected between said first and second data buses, wherein said interface circuit is configured to selectively receive data on said first data bus and place said data on said second data bus, said interface circuit being connected to said first data bus between said first and second bus segments of said first data bus for passing data through from said first bus segment to said second bus segment and from said second bus segment to said first bus segment. The first data bus (323) is connected to a controller (304) and a processor (302). More specifically, with regard to claim 2 and similar claims, see page 13, second paragraph. With regard to claim 5 and similar claims, see page 10, 3<sup>rd</sup> paragraph With regard to

claim 10 and similar claims, see Fig. 8 and description thereof. With regard to claim 11 and similar claims, see at least page 10, second paragraph. With regard to claim 12 and similar claims, see at least page 10, 3<sup>rd</sup> paragraph. With regard to claims 13-15 and similar claims, it is clear from Holman that first data bus (323) is capable of transmitting all known signal types. With regard to claims 46-61, one practicing the device of Holman et al. would have performed the same steps set forth in method claims 46-61.

### ***Response to Arguments***

*W* Applicant's arguments filed ~~8/16~~ 2003 have been fully considered but they are not persuasive.

At the outset, Applicants are reminded that claims subject to examination will be given their broadest reasonable interpretation consistent with the specification. *In re Yamamoto*, 740 F.2d 1569, 1571, 222 USPQ 934, 936 (Fed. Cir. 1984). Applicants are also reminded that claimed subject matter not the specification, is the measure of the invention. Disclosure contained in the specification can not be read into the claims for the purpose of avoiding the prior art. *In re Sporck*, 55 CCPA 743, 386 F.2d, 155 USPQ 687 (1986).

With this in mind, the discussion will focus on how the terms and relationships thereof in the claims are met by the references. Response to any limitations that are not in the claims or any arguments that are irrelevant and/or do not relate to any specific claimed language will not be warranted.

**The 102 rejection:**

With regard to claim 1 (with claims 2-20 stand or fall together), claim 21 (with claims 22-39 stand or fall together), claim 40, and claim 41, Applicants argued that Holman does not disclose that the second bus segment is "separate and not connected to said first bus segment." Contrary to Applicants' argument, it is clear from Holman, in at least Fig. 3, that all "segments" 322, 324; 326, 328 of System Memory Bus 323 or the so-called "first bus" are separated and not at least directly connected to one another. With regard to claims 42 and 43 (with claims 44 and 45 stand or fall together), it is clear that the bus system of Holman (see explanation in the 102 rejection set forth above) "loops through" interface devices or circuits 310, 316, for example. With regard to claim 46 (with claims 47-61 stand or fall together), Applicants argued that "Holman fails to teach or suggest transferring information from one segment of the system memory bus 323 to another segment via a memory interface circuit or device." it is clear from at least Fig. 3 of Holman that data is transferred from (322, 324) of the system memory bus 323 to (326, 328) via a memory interface circuit or device (310).

The IDS filed 4/2/2001 is missing from the file. The IDS filed 6/23/2003 (a copy of 4/2/2001 IDS) has been considered. However, non patent literature documents have not been considered. For the documents to be considered, copy of each non patent literature document must be provided along with a new IDS listing.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 703-308-0211.



Khanh Dang  
Primary Examiner